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Attorney Entry No: 1062RCE/1180

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CERTIFICATE OF MAIL

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to the Commissioner for Patents, Box RCE, Washington, D.C. 20231, on February 20, 2003.

Grace Alicea

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Date: February 20, 2003

Eric C. Anderson

Serial No. 09/177,251

Group Art Unit: 2615

Filed: October 22, 1998

Examiner: Harris, Tia M.

For: METHOD AND SYSTEM FOR IMPROVING IMAGE QUALITY OF  
PORTRAIT IMAGES USING A FOCUS ZONE SHIFT

Commissioner for Patents  
Box RCE  
Washington, D.C. 20231

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MAR 03 2003  
Technology Center 2600

**PRELIMINARY AMENDMENT**

Sir:

Please amend the above-identified application in the following manner:

IN THE CLAIMS:

Sub C1  
B1  
✓ 1. (Twice amended) A method for capturing an image using an image capture device, the image capable of including a plurality of objects, each of the plurality of objects being a corresponding distance from the imaging device, the image being associated with a focus zone, method comprising the steps of:

- (a) determining if the image matches at least one criteria;
- (b) determining whether at least one of the plurality of objects is out of focus if the